

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Lands – Visakhapatnam district – Narsipatnam division – Makavarapalem Mandal – Alienation of the Government lands to a total extent of Ac.334-95 Cts covered by G. Koduru, Tamaram, Bheemaboynapalem & Rachapalli villages of Makavarapalem Mandal in favour of APIIC for establishment of Industrial Park on payment of market value recommended by the Empowered Committee by effecting the Ayan Conversion from the category Objectionable to Un-objectionable poramboke wherever necessary in relaxation of the existing orders in force, subject to certain conditions and also subject to verification and satisfaction of the Irrigation Department – Orders – Issued.

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REVENUE (ASSIGNMENT-I) DEPARTMENT

GO Ms.No. 744

Date:20-07-2009

READ: the following:-

1. From the Collector, VSP, Visakhapatnam Rc.No.3595/2007/E4, dated 10-02-2009 & 20.2.2009 addressed to the CCLA, Hyderabad and copy marked to Govt.
2. From the CCLA, Hyderabad Ref.No.B3/ 332/ 2009, Dated 09-06-2009.
3. Govt.Memo.No.7773/Assn.I(2)/2009-1., Dated 23.-06-2009 of Rev.Dept.
4. From the CCLA, Hyderabad Ref.No.B3/ 332/ 2009, Dated 08-07-2009.

ORDER:

The District Collector, Visakhapatnam in the reference first read above has reported that Government land to an extent of Ac.332-18 Cts covered by G. Koduru, Tamaram, Bheemaboynapalem & Rachapalli villages of Makavarapalem Mandal was handed over advance possession to APIIC on 15.11.2007, for establishment of Industrial park on the condition of the original stature of the land shall have to be maintained as the Government land is inclusive of Gayalu, Cheruvu, Gedda, Gorja, Rasta, Gramakhantam and other poramboke. He has further reported that the extent of Ac.334-95 cts including water bodies was proposed for alienation pending receipt of the clarification from the CCLA, Hyderabad for establishment of the Industrial park.

Sl.No.	Village	Extent Ac. Cts.
1.	G. Koduru	93-06
2.	Tamaram	2-50
3.	Bheemaboyinapalem	1-45
4	Rachapalli	237-94
	TOTAL	334-95

2) In respect of the lands classified as Gorjas, Rastas etc., under the control of the PR Department, the Dy.E.E., PR Sub-division, Kotauratla has given opinion that there is no objection for the proposed alienation to the APIIC Ltd for Industrial Park vide his letter No.1/2008-09/AEE/MKP, dated 20.10-2008.. In respect of Tanks etc., the Dy.E.E.,(ID) Narsipatnam Sub-Division vide his letter No.157 M/C-24, dated 11.9.2008 has informed that it is objectionable to the Irrigation Department for the alienation of Water Bodies as those are feeder channels to the other Ayacut lands other than those under acquisition/ alienation to APIIC Ltd., and in pursuance to the orders of the Hon'ble High COURT in WP No.2493 / 2006. He has further reported that with regard to alienation of the objectionable porambokes a report was submitted to the CCLA, Hyderabad/ Government for issue of necessary instructions in the matter vide his letter dated 10.2.2009. The other statutory requirements such as publication of A-1 notice, preparation of Sub-division records have been observed except the Resolution of the concerned Gram Panchayats.

(PTO)

3. The District Collector, Visakhapatnam has finally submitted the alienation proposals for the extent of Ac.334-95 Cts as mentioned above for establishment of Industrial park pending receipt of the clarification from the CCLA, Hyderabad.

4. In this regard, he has also reported that the lands are in the midst of the lands acquired and transferred to M/s ANRACK Aluminium Ltd., for protection. It was also informed that the SEZ Project report was submitted to Government of India for approval of an extent of Ac.1925-00 including the Government lands and the orders are awaited. It was further informed that there is a commitment given by the M/s ANRACK Ltd., that they would take steps for diversion of the streams passing through the extent of Ac.275-00 on approval of the Government and in such case, the land now given would become dry.

5. In view of the above position, the C& MD., APIIC, Hyderabad has requested the Collector, Visakhapatnam to take necessary steps for alienation of the land of Ac.339-95 Cts in favour of APIIC Ltd., by effecting the Ayan Conversion from the category Objectionable to Un-objectionable poramboke.

6. The District Collector, Visakhapatnam has therefore submitted alienation proposals for the entire extent of Ac.334-95 Cts (scrutinized extent) in favour of APIIC Ltd., for establishment of Industrial Park on payment of market value as fixed by the Government.

7. In the reference 2nd read above, the CCLA, Hyderabad has submitted his remarks and reported that the proposals of the District Collector, Visakhapatnam for the alienation of Government land to an extent of Ac.334.95 Cts has been examined by the Empowered Committee in the meeting held on 02-03-2009 and the Committee has recommended the proposals for alienation on payment of market value of Rs.4,00,000/- (Rupees four lakhs only) per acre for the lands situated at Bheemaboyanapalem and Rs.2,32,000/- (Rupees two lakhs thirty two thousands only) per acre for the lands situated at G.Koduru, Tamaram & Rachapalli villages.

8. Government have examined the proposals, and the CCLA was requested to examine the entire issue in pursuance of the various instructions of the Government and the orders of the Hon'ble High Court / Supreme Court of India on the Water Body lands. He was also requested to furnish the total extent of objectionable land duly indicating the classification survey number wise and also the extent of the un-objectionable land duly indicating the classification Survey number wise, and also to furnish the combined sketch of the land proposed for alienating the lands situated at villages of Rachapalli, G.Koduru, Tamaram and Bheemaboina Palem, Makavarapalem Mandal, Visakhapatnam district in favour of APIIC for establishment of the Industrial Park duly indicating the objections if any received for the A-1 notice vide Govt. Memo. 3rd read above.

9. In response to the above, the CCLA, Hyderabad in his letter dated 8.7.2009 fourth read above, has reported that the above proposed lands are in several pockets & surrounded by the lands acquired by the APIIC as indicated in the combined sketch.

Contd...3.

10. The details of the lands village-wise and Sy.No.wise proposed for alienation in favour of APIIC are as follows:-

Sl. No.	Village	Sy.No.	Extent Ac.Cts.	Classification
1	Bheemaboyinapalem	98	1-45	Govt., oramboke(Rasta)
2	Rachapalli	58/2, 107, 316/1, 540/1 & 190/3.	3-16	Gayalu
3	Rachapalli	108, 109 (p) etc.	26-18	Gorja, Rasta & Roads vested with the PR Department.
4.	Rachapalli	74/2 etc.,	208-60	Tanks Geddas & Canals under the control of Irrigation Department.
5.	Tamaram	140	0-61	Gorja
6.	Tamaram	83& 142	1-89	Gedda & Tank under the control of the Irrigation Department.
7.	G.Koduru	273/2, 286/2, 287/1 & 293	7-21	Gayalu & Rallagutta
8.	G.Koduru	105 etc.	64-09	Tanks, Kaluva Gedda & vagu
9	G.Koduru	103/3 & 114	21-76	Gorja, Rasta etc.
GRAND TOTAL			.334-95	

11. The A-I notice has been published for alienation of above said Govt. land in favour of APIIC and no objections were received.

12. In pursuance of the various instructions of the Government and the orders of the Hon'ble High Court/Supreme Court of India on Water Bodies and also for alienating the Water bodies lands existing in the proposed lands, the CCLA, Hyderabad has examined the issue and has convened series of meetings with APIIC and Industries Department, and discussed at length regarding different classification of lands, Water bodies and measures to be taken for preservation of Water Tanks/Canals/Kalwas available in the proposed land.

13. The CCLA, Hyderabad has further informed that the Government lands proposed for alienation to APIIC are under different classifications. Based on the nature of the classification, the remarks in the Joint Inspection report and the recommendations of Collector, the lands were categorized into four groups as mentioned below:

- (1) An extent of Ac.64.24 cts in the four villages are Rasta or Gorja poramboke lands. They are within the lands acquired by APIIC and of no use or service to any outside habitation or village

Name of the village	Not useful to serve outside the lands	
RACHAPALLI	Rasta/Road	3.04
	Gorza	26.18
	Gayalu	3.16
	Total	32.38
G.KODURU	Rasta/Road	0.83
	Gorza	21.76
	Gayalu Rallagutta	7.21
	Total	29.80
TAMARAM	Rasta/Road/Gorza	0.61
	Total	0.61
BHIMABOYINAPALEM	Rasta/Road/Gorza	1.45
	Total	1.45
Grand Total		64.24

Contd...4.

The lands to an extent of Ac.64.24 cts. as indicated above are unobjectionable lands for alienation. Hence, these lands are recommended for alienation in favour of APIIC.

- (2) The lands indicated to an extent of Ac.233.00 are classified as Cheruvus, Gadda, Vagu etc., However they are reported to be only seasonal water bodies which get filled up occasionally. The entire Ayacut serviced by these seasonal water bodies is within the area acquired by APIIC for the Industrial Park. Surrounding lands to the water bodies are already handed over to APIIC for industrial purpose.

Name of the village	Serving the Ayacut within the APIIC lands	<u>Ac.Cts.</u>
RACHAPALLI	Cheruvu / Tan	110.79
	Gedda	68.54
	Kaluva	2.79
	Total	182.12
G.KODURU	Cheruvu/Tank	18.53
	Vagu	32.35
	Total	50.88
	Grand Total	233.00

With regard to the lands to an extent of Ac.233-00, the Joint Inspection team has reported that all Cheruvus (Tanks) are seasonal i.e., they dry up in all seasons other than rainy season. On ground the water bodies are not serving any purpose and the water is not being utilized for irrigation, since all the Ayacut lands under this Cheruvu have been acquired by the APIIC. The APIIC has reported that a large summer storage tank is proposed in these lands covering an area of over 120 acres, which will adequately take care of the percolation needs and environmental considerations. Keeping in view the several Court directions and Government instructions issued from time to time, the APIIC may be directed to protect the water bodies, so as to maintain ecological balance and improve ground water levels. These lands may be considered for alienation to APIIC with these protection conditions.

- (3) The lands under this category comes to an extent of Ac.24-25 Cts these are all water bodies serving the Ayacut lands situated outside the lands handed over to APIIC. The outside lands are agricultural lands.

Name of the Village	Serving the Ayacut outside the APIIC Lands
RACHAPALLI	
Cheruvu / Tank	Ac.22-36
Total	Ac.22-36
TAMARAM	
Cheruvu /Tank	Ac. 0-50
Gedda	Ac. 1-39
Total	Ac. 1-89
Grand Total	Ac.24-25 Cts

Contd...5.

The lands shown in Category 3 above covering an extent of Ac.24-25 Cts covering water bodies need to be preserved in original status of water bodies, since the water bodies are serving the water for Irrigation outside of the APIIC lands. They can be considered for alienation to APIIC since they are located within area acquired for Industrial Park, but with a clear condition that they should be retained as water bodies and ensure service to the Ayacut lands.

- (4) These lands totaling an extent of Ac.13-46 Cts are canals flowing through lands handed over to APIIC but serving the ayacut outside the lands handed over to APIIC.

Name of the village	Flowing through the APIIC lands need to be diverted to serve outside.
G.KODURU	
Kaluva	Ac.0-25
Vagu	Ac.13-21 Cts
Total	Ac.13-46 Cts
Grand Total	Ac.13-46 Cts

The lands shown at Category-4 above in an extent of Ac.13-46, the Canals & Kalwas are serving the ayacut outside the APIIC lands, and they have to be protected. If necessary canals can be diverted or re-aligned for proper flow of water.

14. In respect of the lands classified as Gorjas, Rastas etc., under the control of the Panchayat Raj Department, the Dy.E.E., PR Sub-division, Kotauratla has given opinion that there is no objection for the said proposed lands for alienation to the APIIC for establishment of Industrial Park.

15. The CCLA, Hyderabad has therefore requested to consider the proposals for alienation of lands to an extent of Ac.334-95 Cts keeping in view the various judicial pronouncements and Government instructions from time to time on Water Bodies etc. If Government considers approval of the alienation proposals, suitable conversion of the classification may be ordered. The CCLA, Hyderabad has also requested the Government to direct the APIIC Ltd., to take all measures for the protection / preservation of water bodies to maintain ecological balance and for improvement of ground water level., and he may also be instructed to take measures for improving plantation in the area maintain adequate green cover in the land alienated to APIIC.

16. The Empowered Committee in its meeting held on 2.3.2009 have resolved to recommend the alienation to a total extent of Ac.334-95 Cts covering in the villages of Rachapalli, G.Koduru, Tamaram and Bheemaboina Palem villages, Visakhapatnam district in favour of APIIC for establishment of Industrial Park on payment of market value of Rs.4,00,000/-(Rupees four lakhs only) per acre for the lands situated at Bheemaboyinapalem, and Rs.2,32,000/- (Rupees two lakhs thirty two thousand only) per acre for the lands situated at G.Koduru, Tamaram and Rachapalli villages subject to maintain original stature of the land duly protecting the objectionable lands, and also to obtain the NOC for the objectionable lands from the Irrigation Dept & Panchayat Raj Department.

17. The Panchayat Raj & Rural Development / Irrigation & CAD(PW) Dept have accepted the proposals.

18. Government after careful examination of the proposals, and keeping in view the recommendations of the Empowered Committee, hereby order for alienating the total extent of Ac.334-95 Cts as mentioned at para (10) above in favour of APIIC for establishment of Industrial Park on payment of market value of Rs.4,00,000/-(Rupees four lakhs only) per acre for the lands situated at Bheemaboyinapalem, and Rs.2,32,000/- (Rupees two lakhs thirty two thousand only) per acre for the lands situated at G.Koduru, Tamaram and Rachapalli villages as recommended by the Empowered Committee by effecting the Ayan Conversion from the category **Objectionable to Un-objectionable poramboke wherever necessary** in relaxation of the existing orders in force,, subject to maintaining original stature of the land duly protecting the objectionable lands, and also subject to condition that they should be retained as Water bodies and ensure service to the Ayacut lands.

19. The MD., APIIC, Hyderabad is also directed to take all measures for the protection / preservation of water bodies to maintain ecological balance and for improvement of ground water level subject to verification and satisfaction of the Irrigation Department and also directed to take measures for improving plantation in the area to maintain adequate green cover in the land.

20. The District Collector, Visakhapatnam shall take further necessary action.

21. The conditions stipulated in the BSO-24 shall be applicable for the above alienation.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI
SECRETARY TO GOVERNMENT

To
The Collector, Visakhapatnam
The Managing Director, APIIC, Hyderabad
The Chief Commissioner, Land Administration, Hyderabad.

Copy to:

The P.S. Prl.Secy. to C.M.
The P.S. to Chief Secretary to Govt.,
The P.S. Prl.Secy.to PR Department
The P.S. Prl.Secy. to I&CAD(PW) Deptt.,
The P.S. to Prl.Secy., Finance Dept.
The P.S. to Secretary (RT), Revenue Deptt.,
The P.S. to M(Revenue)
The Finance (Exp.Revenue) Dept.
The Irrigation & CAD(PW) Dept.
The PR &RD (Pts.III) Department
The General Admn.(Cabinet) Dept.
SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER